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6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 HECTOR HERNANDEZ, an individual,

Case No. 2:23-00859-CDS-BNW

9 Plaintiff,

10 vs.

11 STATE FARM FIRE AND CASUALTY COMPANY, a
12 foreign corporation; DOE INDIVIDUALS I-X, and
13 ROE CORPORATIONS I-X, inclusive,

14 Defendant.

15 **STIPULATION AND ORDER TO EXTEND DISCOVERY**

16 The parties stipulate that the current discovery dates in this matter be continued sixty (60)
17 days for the reasons set forth below.

18 This is the parties' second request to extend discovery dates.

19 In support of this stipulation and request, the parties state as follows:

20 **A. DISCOVERY THAT HAS BEEN COMPLETED**

21 1. On July 27, 2023, Plaintiff served initial disclosures pursuant to NRCP 16.1;
22 2. On November 3, 2023, Plaintiff served first supplemental disclosures pursuant to
23 NRCP 16.1;
24 3. On August 23, 2023 Defendant provided initial disclosures along with exhibits
25 pursuant to NRCP 16.1;
26 4. On September 8, 2023, Defendant served first set of requests for set of
27 interrogatories to Plaintiff. Plaintiff served an answer to these requests on October
28 9, 2023.

- 1 5. On September 8, 2023, Defendant served first set of requests for production of
- 2 documents to Plaintiff. Plaintiff served an answer to these requests on October 9,
- 3 2023.
- 4 6. On November 21, 2023 the deposition of Hector Hernandez was taken by the
- 5 Defendant.
- 6 7. Independent Medical Examination of Plaintiff taken on November 29, 2023.

7 **B. DISCOVERY REMAINING:**

- 8 1. Deposition of defendant;
- 9 2. Deposition of Officer Chad Betts;
- 10 3. Plaintiff's initial expert disclosures;
- 11 4. The parties rebuttal expert disclosures;
- 12 5. Depositions of the parties' lay witnesses;
- 13 6. Depositions of the parties' expert witnesses; and
- 14 7. Any other potential depositions or written discovery which may become necessary
- 15 as discovery continues.

16 **C. REASONS REMAINING DISCOVERY CANNOT BE COMPLETED WITHIN THE TIME SET**
17 **BY PRIOR DISCOVERY PLAN:**

18 The parties have diligently engaged in discovery in this matter. In particular, the parties have
19 been working to compile and exchange a comprehensive claims file. However, as this process has
20 taken more time than previously expected, an extension is now required. This will allow for the
21 thorough assessment of the matter by the Plaintiff's experts, who will need additional time to review
22 the newly acquired materials.

23 As such, the parties believe that an extension of the current discovery deadlines is necessary
24 to complete the remaining discovery. Good cause exists for the extension because the parties' experts
25 require additional time to review the relevant records and prepare their reports. Thus, a continuance
26 of the current discovery deadlines is necessary.

27 No party will be prejudiced by the extension, and the requested extension is made in good
28 faith and not for purposes of delay. Based on the foregoing, the parties respectfully request that the

1 Court grant their joint request to extend the discovery deadlines by 60 days and to re-set the current
2 trial date, in accordance with the requested amended discovery deadlines. This is a second request for
3 an extension, and the parties are optimistic that further extensions will not be required.
4

5 **D. PROPOSED SCHEDULE FOR COMPLETION OF DISCOVERY**

6 **Current Discovery Deadlines:**

7 Last day to amend pleadings and add parties	December 27, 2023
8 Last day to disclose initial experts:	January 26, 2024
9 Last day to disclose rebuttal experts:	February 26, 2024
10 Close of Discovery:	March 26, 2024
11 Last day to file Dispositive Motions:	April 25, 2024
12 Joint Pre-trial Order	May 24, 2024

13 **Proposed Discovery Deadlines:**

14 Last day to amend pleadings and add parties	Closed
15 Last day to disclose initial experts:	March 26, 2024
16 Last day to disclose rebuttal experts:	April 26, 2024
17 Close of Discovery:	May 27, 2024
18 Last day to file Dispositive Motions:	June 24, 2024
19 Joint Pre-trial Order:	July 24, 2024

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1 **E. CURRENT TRIAL DATE**

2 A trial date is not currently set for this case.

3 **IT IS SO STIPULATED.**

4 Dated January 23, 2024.

5 Dated January 23, 2024.

6 **THE POWELL LAW FIRM**

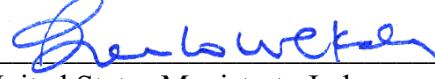
7 **JENNIFER INSLEY MICHERI**

8 By: /s/ Elizabeth A. Turner
9 Paul D. Powell (7488)
10 Elizabeth A. Turner (16332)
11 Attorneys for Plaintiff

12 By: /s/ Jennifer Insley Micheri
13 Jennifer Insley Micheri (10089)
14 Attorneys for Defendant

15 **ORDER**

16 IT IS HEREBY ORDERED that the discovery deadline dates be extended as set forth above.

17 
18 United States Magistrate Judge

19 DATED: 1/25/2024